



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

Javier AGUILAR,

Defendant.

Magistrate Case No.:

'08 MJ 8128

COMPLAINT FOR VIOLATION OF

21 U.S.C. § 952 and 960

Importation of a Controlled Substance
Felony)

The undersigned complainant being duly sworn states:

That on or about February 9, 2008, within the Southern District of California, defendant Javier AGUILAR, did knowingly and intentionally import approximately 3.46 kilograms (7.612 pounds) of methamphetamine, a Schedule II Controlled Substance, into the United States from a place outside thereof, in violation of Title 21, United States Code, Sections 952 and 960.

The complainant states that this complaint is based on the attached Statement of Facts incorporated herein by reference.


Special Agent
U.S. Immigration and
Customs Enforcement

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE THIS 11th
DAY OF FEBRUARY 2008.


PETER C. LEWIS
U.S. MAGISTRATE JUDGE

1 UNITED STATES OF AMERICA

v.

2 Javier AGUILAR

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4 STATEMENT OF FACTS

5 This statement of facts is based on the reports, documents, and notes furnished to U.S.
6 Immigration and Customs Enforcement Special Agent Mario Vazquez.

7 On February 9, 2008, at approximately 1635 hours, Javier AGUILAR entered the United
8 States at the Calexico, California, East Port of Entry. AGUILAR was the driver of a 2001
9 Toyota Tundra Pick-up, bearing California license plate 7J20748.

10 The primary inspector, Customs and Border Protection Officer (CBPO) Castillo received
11 a negative Customs declaration from AGUILAR. AGUILAR also identified himself as a United
12 States citizen presenting his U.S. passport and stated he lived in Chino, CA. CBPO Castillo
13 inquired as to the ownership of the vehicle. AGUILAR stated the vehicle belonged to his aunt,
14 and that he had borrowed it 15 days ago. AGUILAR and the vehicle were referred to secondary
15 inspection for closer examination.

16 In the vehicle secondary lot, a canine inspection of the vehicle was performed. The
17 canine alerted and responded to the engine compartment of the vehicle AGUILAR was driving.

18 A subsequent inspection of the vehicle revealed 7 packages concealed in a specially built
19 compartment within the intake manifold on the engine of the vehicle. CBPO Ramos probed one
20 of the packages which revealed a white powdery substance that field-tested positive for
21 methamphetamine. The 7 packages had a combine net weight of approximately 3.46 kilograms
22 (7.612 pounds).

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